

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA)	
)	
v.)	
)	
JOHNNIE MARTIN,)	No. 3:07-CR-51
AARON BROOKS,)	JUDGES PHILLIPS/SHIRLEY
LASHONDA HALL,)	
TONY DARNELL MANNING,)	
MATTHEW ORR,)	
JAMES O. ROWANS, II, and)	
CARLA KYLE.)	

PROTECTIVE ORDER

This matter having come before the Court upon the *Ex Parte* Motion of the United States of America for the entry of a Protective Order pursuant to Title 21, United States Code, Section 853(c)(1)(A), as incorporated by Title 18, United States Code, Section 982(b), and it appearing to the satisfaction of this Court:

1. That on July 10, 2007, a federal grand jury of this District returned a Superseding Indictment charging defendant JAMES O. ROWANS, II and others with violations of Title 21, United States Code, Sections 846, 841(b)(1)(A), 841(b)(1)(C) and 841(b)(1)(D), and Title 18, United States Code, Sections 1956(a)(1)(A)(i) and (a)(1)(B)(i) and alleging that the real property named in this Order would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982;

2. That the United States has moved, ex parte, for a Protective Order pursuant to Title 21, United States Code, Section 853(c)(1)(A), so as to preserve the *status quo* and prevent the defendant from alienating, encumbering, or wasting said forfeitable real property; and

3. That based upon the Superseding Indictment and the Supporting Motion submitted by the United States, reasonable cause has been shown for the entry of a Protective Order to preserve the real property described as follows:

Real property located at 2750 Sunset Avenue, Knoxville, Tennessee, the legal description of which is as follows:

SITUATED in the Second (2nd) Civil District of Knox County, Tennessee, and within the 14th Ward of the City of Knoxville, Tennessee, and being Lot 15, Block 25 of the J.C.J. Williams Villa Sites Addition, as shown by map of record in Map Book 4, page 4, in the Register's Office for Knox County, Tennessee, and having a street address of 2750 Sunset Avenue, Knoxville, Tennessee.

Being the same property conveyed to James O. Rowans II by Warranty Deed dated April 4, 1997, of record in Deed Book 2245, page 642, in the Register's Office for Knox County, Tennessee.

It is, therefore, the ORDER of this Court that this Protective Order issue as to the real property described above, to wit:

The defendant, JAMES O. ROWANS, II, his agents, servants, employees, attorneys, family members, those persons having any interest or control over the real property described above and those in active concert or participation with the defendants, shall not, without approval of this Court upon notice to the United States and an opportunity for the United States to be heard:

- a) alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of, in any manner, directly or indirectly;
- b) cause to be alienated, dissipated, transferred, sold, assigned, leased, pledged, encumbered, or disposed of in any manner; or
- c) take, or cause to be taken, any action which could have the effect of concealing or moving from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of any real property described above.

It is further ORDERED that if the real property described above has been or is transferred or disposed of by any means, the defendant, JAMES O. ROWANS, II, shall account to the Court for the disposition of the property.

It is further ORDERED that the defendant, JAMES O. ROWANS, II, shall be served with a copy of this Order.

It is further ORDERED that the Clerk of this Court provide the United States Attorney's Office, Knoxville, Tennessee, and the United States Marshals Service, Knoxville, Tennessee, with a certified copy of this Order to record in the county records where the identified real property is located as soon as practical.

This Order shall remain in effect until further Order of the Court or until the Court modifies the Order as appears necessary in the interests of justice and consistent with the purposes of Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b).

So ORDERED this the ^{12th}12 day of July, 2007.

Thomas W. Phillips

THOMAS W. PHILLIPS
UNITED STATES DISTRICT JUDGE

Submitted for Entry:

JAMES R. DEDRICK
UNITED STATES ATTORNEY

By: *David C. Jennings*
DAVID C. JENNINGS
Assistant United States Attorney